

**DECLARATION AND POWER OF ATTORNEY  
FOR ORIGINAL U.S. PATENT APPLICATION**

Attorney's Docket No. ICYTP003X1

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **GRAPHICAL VIEWER FOR BIOMOLECULAR SEQUENCE DATA** the specification of which,

(check one)

1. ☐ is attached hereto.
2. ☒ was filed on July 27, 1999 as  
U.S. Application No. 09/362,649  
and was amended on \_\_\_\_\_
3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

**Prior Foreign Application(s)**

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

(Application No.)	(Country)	(Filing Date)	Priority Benefits Claimed? Yes ___ No ___
_____	_____	_____	Yes ___ No ___
_____	_____	_____	Yes ___ No ___

**Provisional Application(s)**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application No.) _____	(Filing Date) _____
(Application No.) _____	(Filing Date) _____

**Prior U.S. Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

08/856,647  
(Application No.)

May 15, 1997  
(Filing Date)

\_\_\_\_\_  
(Status - patented, pending, abandoned)

08/857,382  
(Application No.)

May 15, 1997  
(Filing Date)

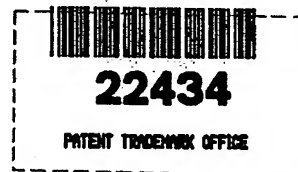
\_\_\_\_\_  
(Status - patented, pending, abandoned)

**Power of Attorney**

And I hereby appoint the law firm of **Beyer & Weaver, LLP** and all practitioners who are associated with the Customer Number 022434 as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**Direct Correspondence To:**

**Customer Number: 022434**  
**BEYER & WEAVER, LLP**  
P.O. Box 61059  
Palo Alto, CA 94306



**Direct Telephone Calls To:**

**James E. Austin at telephone number (510) 843-6200**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Typewritten Full Name of**

**Sole or First Inventor:** Alex George Koleszar

**Citizenship:** Canada

**Inventor's signature:** *Alex Koleszar*

**Date of Signature:** Sep 15/99

**Residence: (City)** Newark

**(State/Country)** California/U.S.

**Post Office Address:** 8260 Rinconada Court, Newark, California 94560

**Full Name of Second Joint**

**Inventor (if any):** Frank D. Russo

**Citizenship:** United States

**Inventor's signature:** *Frank D. Russo*

**Date of Signature:** 15 Sep 99

**Residence: (City)** Sunnyvale

**(State/Country)** California/U.S.

**Post Office Address:** 939 Rosette Court, Sunnyvale, California 94086

Full Name of Third Joint  
Inventor (if any):

Joe Don Heath, Ph.D.

Citizenship: United States

Inventor's signature:

Date of Signature: 9-15-99

Residence: (City) Sunnyvale

(State/Country) California/U.S.

Post Office Address: 856 Grape Avenue, Sunnyvale, California 94087

Full Name of Fourth Joint  
Inventor (if any):

Stephanie F. Berry

Citizenship: United States

Inventor's signature:

Date of Signature: 9/15/99

Residence: (City) San Jose

(State/Country) California/U.S.

Post Office Address: 3564 Sunnygate Court, San Jose, California 95117

Full Name of Fifth Joint  
Inventor (if any):

Rachel J. Wright

Citizenship: New Zealand

Inventor's signature:

Date of Signature: 9-14-99

Residence: (City) Mountain View

(State/Country) California/U.S.

Post Office Address: 339 Anna Avenue, Mountain View, California 94043

Full Name of Sixth Joint  
Inventor (if any):

Peter A Covitz

Citizenship: United States

Inventor's signature:

Date of Signature: 10-18-99

Residence: (City) San Francisco

(State/Country) California/U.S.

Post Office Address: 2442 29th Avenue, San Francisco, California 94116

Full Name of Seventh Joint  
Inventor (if any):

Yvonne R. Boldt

Citizenship: United States

Inventor's signature:

Date of Signature: 9/20/99

Residence: (City) Sunnyvale

(State/Country) California/U.S.

Post Office Address: 1109 Jamestown Drive, Sunnyvale, California 94087

Full Name of Eighth Joint  
Inventor (if any):

Lee Crawford

Citizenship: UNITED STATES

Inventor's signature:

Date of Signature: 10/5/99

Residence: (City) San Francisco

(State/Country) California/U.S.

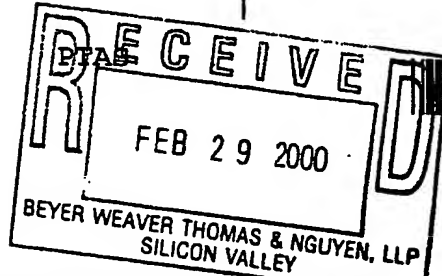
Post Office Address: 3570 Sacramento Street, #204, San Francisco, California 94118



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FEBRUARY 15, 2000

BEYER & WEAVER, LLP  
JAMES E. AUSTIN  
P.O. BOX 61059  
PALO ALTO, CA 493-210



\*101204036A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/12/1999

REEL/FRAME: 010379/0350  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
KOLESZAR, ALEX GEORGE

DOC DATE: 09/15/1999

ASSIGNOR:  
RUSSO, FRANK D.

DOC DATE: 09/15/1999

ASSIGNOR:  
HEALTH, JOE DON

DOC DATE: 09/15/1999

ASSIGNOR:  
BERRY, STEPHANIE F.

DOC DATE: 09/15/1999

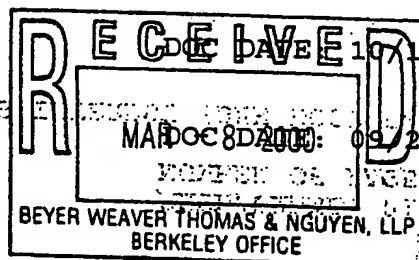
ASSIGNOR:  
WRIGHT, RACHEL J.

DOC DATE: 09/14/1999

ASSIGNOR:  
COVITZ, PETER A.

ASSIGNOR: BEYER & WEAVER, LLP  
BOLDT, YVONNE R.

FOREIGN: ☒



MAILED 09/20/1999

BEYER WEAVER THOMAS & NGUYEN, LLP  
BERKELEY OFFICE

DATES: \_\_\_\_\_

POCKET# ICYT003X1

010379/0350 PAGE 2

ASSIGNOR:

CRAWFORD, LEE

DOC DATE: 10/05/1999

ASSIGNEE:

INCYTE PHARMACEUTICALS, INC  
3174 PORTER DRIVE  
PALO ALTO, CALIFORNIA 94304

SERIAL NUMBER: 09362649

PATENT NUMBER:

FILING DATE: 07/27/1999

ISSUE DATE:

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

MRD  
11-12-99



ASSIGNMENT RECORDATION COVER  
-PATENTS ONLY-

11-18-1999



101204036

To: Honorable Commissioner of Patents and Trademarks:

Please record the attached original document(s) or copy thereof.

1. Name of conveying party(ies)  
a) Alex George Koleszar d) Stephanie F. Berry g) Yvonne R. Boldt  
b) Frank D. Russo e) Rachel J. Wright h) Lee Crawford  
c) Joe Don Health f) Peter A. Covitz
2. Name and address of receiving party(ies):  
a) Name: Incyte Pharmaceuticals, Inc.  
Address: 3174 Porter Drive  
Palo Alto, California 94304

3. Nature of conveyance  
☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other ☐ License Agreement

Execution Date: September 14, 1999 (Wright); September 15, 1999 (Koleszar, Russo, Heath and Berry); September 20, 1999 (Boldt); October 5, 1999 (Crawford); October 18, 1999 (Covitz)

4. Application Number(s) or Patent Number(s): 09/362,649

The title of the (new) application is:

GRAPHICAL VIEWER FOR BIOMOLECULAR SEQUENCE DATA

5. Please send all correspondence concerning this (these) documents to:

Customer Number: 022434  
BEYER & WEAVER, LLP  
P.O. Box 61059  
Palo Alto, CA 94306  
Telephone (650) 493-2100  
Fax (650) 493-2102



22434

PATENT TRADEMARK OFFICE

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

- ☒ Enclosed  
☐ Any additional fees are authorized to be charged to Deposit Account No. 50-0388  
(Order No. \_\_\_\_\_)

8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

Date: November 9, 1999

James E. Austin  
Registration No. 39,489

11/17/1999 TTRAN1 00000097 09362649

05 PD:581

40.00 DP

# ASSIGNMENT OF PATENT APPLICATION

(Accompanying Application)

Whereas I/we the undersigned inventor(s) have invented certain new and useful improvements as set for in the patent application entitled:

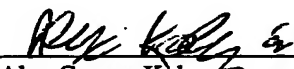

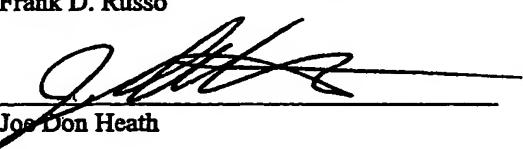

## GRAPHICAL VIEWER FOR BIOMOLECULAR SEQUENCE DATA

(Atty. Docket No.: ICYTP003X1) for which I (we) have executed an application for a United States Letters Patent, the application which was filed in the U.S. Patent and Trademark Office on July 27, 1999, and which bears the application Serial No. 09/362,649.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I/We the undersigned inventor(s) hereby:

- 1) Sell(s), assign(s) and transfer(s) to Incyte Pharmaceuticals, Inc., a California corporation having a place of business at 3174 Porter Drive, Palo Alto, California 94304, (hereinafter referred to as "ASSIGNEE"), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (including foreign patents) granted upon the information which is disclosed in the above referenced application.
- 2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any division(s), continuation(s), substitutes(s) or reissue(s) thereof to the ASSIGNEE.
- 3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative and applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.
- 4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventor(s), as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that I/we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date(s) indicated beside my (our) signature(s).

- 1) Signature:  Date: Sept 15/99  
Typed Name: Alex George Koleszar
- 2) Signature:  Date: 15 Sept 99  
Typed Name: Frank D. Russo
- 3) Signature:  Date: 15 Sept 99  
Typed Name: Joe Don Heath
- 4) Signature:  Date: 9/15/99  
Typed Name: Stephanie F. Berry

- 5) Signature: R. J. Wright Date: 9-14-99  
Typed Name: Rachel J. Wright
- 6) Signature: Peter A. Covitz Date: 10-18-99  
Typed Name: Peter A. Covitz
- 7) Signature: Yvonne R. Boldt Date: 9/20/99  
Typed Name: Yvonne R. Boldt
- 8) Signature: Lee Crawford Date: 10/5/99  
Typed Name: Lee Crawford





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 03, 2001

PTAS

BEYER WEAVER & THOMAS, LLP  
JAMES E. AUSTIN  
P.O. BOX 778  
BERKELEY, CA 94704



\*101561429A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/01/2000

REEL/FRAME: 011357/0317  
NUMBER OF PAGES: 4

BRIEF: CHANGE OF NAME - COPY OF CERTIFICATE OF AMENDMENT OF RESTATED  
CERTIFICATE OF INCORPORATION

ASSIGNOR:

INCYTE PHARMACEUTICALS, INC.

DOC DATE: 06/05/2000

ASSIGNEE:

INCYTE GENOMICS, INC.  
3160 PORTER DRIVE  
PALO ALTO, CALIFORNIA 94304

SERIAL NUMBER: 09362649  
PATENT NUMBER:

FILING DATE: 07/27/1999  
ISSUE DATE:

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



12-26-2000



101561429

COVER SHEET  
Y-

12-1-00

To: Honorable Commissioner of Patents and Trademarks:

Please record the attached original document(s) or copy thereof.

1. Name of conveying party(ies)  
a) Incyte Pharmaceuticals, Inc.
2. Name and address of receiving party(ies):  
a) Name: Incyte Genomics, Inc.  
Address: 3160 Porter Drive, Palo Alto, California 94304



3. Nature of conveyance  
☐ Assignment  
☐ Security Agreement  
☐ License Agreement  
☐ Merger  
☒ Change of Name  
☒ Other: Copy of Certificate of Amendment of Restated Certificate of Incorporation

Execution Date:

4. Application Number(s) or Patent Number(s): 09/362,649

The title of the (new) application is: GRAPHICAL VIEWER FOR BIOMOLECULAR SEQUENCE DATA

5. Please send all correspondence concerning this (these) documents to:

**Customer Number: 022434**  
BEYER WEAVER & THOMAS, LLP  
P.O. Box 778  
Berkeley, CA 94704-0778  
Phone (650) 961-8300  
Fax (650) 961-8301

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

- ☒ Enclosed  
☒ Any additional fees are authorized to be charged to Deposit Account No. 500388 (Order No. ICYTP003X1)

8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: November 29, 2000

James E. Austin  
Registration No. 39,489

12/22/2000 GTOM11 00000143 09362649

01 FC:581

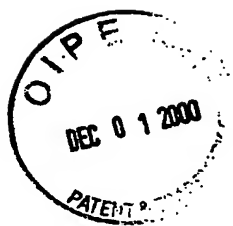
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Office of the Secretary of State

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I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "INCYTE PHARMACEUTICALS, INC.", FILED IN THIS OFFICE ON THE FIFTH DAY OF JUNE, A.D. 2000, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel, Secretary of State

2259499 8100

001287319

AUTHENTICATION: 0481632  
DATE: 06-07-00

**CERTIFICATE OF AMENDMENT**  
**OF**  
**RESTATED CERTIFICATE OF INCORPORATION**  
**OF**  
**INCYTE PHARMACEUTICALS, INC.**

It is hereby certified that:

1. The name of the corporation (hereinafter called the "Corporation") is Incyte Pharmaceuticals, Inc.
2. The Restated Certificate of Incorporation of the Corporation is hereby amended by striking out Article I and Article IV Section A thereof and by substituting in lieu of said Article I and Article IV Section A the following new Article I and Article IV Section A:

**"ARTICLE I**

The name of the corporation is Incyte Genomics, Inc."

**"ARTICLE IV**

A. **Classes of Stock.** The total number of shares of all classes of capital stock which the corporation shall have authority to issue is two hundred five million (205,000,000), of which two hundred million (200,000,000) shares of the par value of one-tenth of one cent (\$.001) each shall be Common Stock (the "Common Stock") and five million (5,000,000) shares of the par value of one-tenth of one cent (\$.001) each shall be Preferred Stock (the "Preferred Stock"). The number of authorized shares of Common Stock or Preferred Stock may be increased or decreased (but not below the number of shares thereof then outstanding) by the affirmative vote of the holders of a majority of the then outstanding shares of Common Stock, without a vote of the holders of the Preferred Stock, or of any series thereof, unless a vote of any such Preferred Stock holders is required pursuant to the provisions established by the Board of Directors of this Corporation (the "Board of Directors") in the resolution or resolutions providing for the issue of such Preferred Stock, and if such holders of such Preferred Stock are so entitled to vote thereon, then, except as may otherwise be set forth in this Restated Certificate of Incorporation, the only stockholder approval required shall be the affirmative vote of a majority of the combined voting power of the Common Stock and the Preferred Stock so entitled to vote."

3. This Certificate of Amendment of Restated Certificate of Incorporation was duly adopted by the Board of Directors of the Corporation.

4. This Certificate of Amendment of Restated Certificate of Incorporation was duly adopted by the stockholders in accordance with Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, Incyte Pharmaceuticals, Inc. has caused this certificate to be signed by its Chief Executive Officer and Secretary this 5<sup>th</sup> day of June, 2000.

By: Roy A. Whitfield  
Roy A. Whitfield  
Chief Executive Officer

Attest:

By: Lee Bendekgy  
Lee Bendekgy  
Secretary

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Koleszar, et al.

Application No.: 09/362,649

Filed: July 27, 1999

Title: GRAPHICAL VIEWER FOR  
BIOMOLECULAR SEQUENCE DATA

Attorney Docket No.: ICYTP003X1

Examiner: Not yet assigned

Group: 2771

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Assistant Commissioner for Patents, Washington, DC 20231 on November 29, 2000.

Signed: \_\_\_\_\_

Tara Hayden

**Communication**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Enclosed please find the Recordation of Change Cover Sheet and a copy of the Certificate of Amendment of Restated Certificate of Incorporation of Incyte Pharmaceuticals for the above-identified patent application. Please amend appropriate records to reflect the correct name.

Please Change the Name "Incyte Pharmaceuticals, Inc." to --Incyte Genomics, Inc.--.

The Commissioner is authorized to charge any fees that may be due to Deposit Account 500388 (Order No. ICYTP003X1).

Respectfully submitted,

BEYER WEAVER &amp; THOMAS, LLP

  
James E. Austin

Registration No. 39,489

P.O. Box 778  
Berkeley, CA 94704-0778